IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 427 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE D.A.MEHTA Sd/-

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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THAKORE RAMESHJI UDAJI - Applicant(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :
THROUGH JAIL for Applicant(s) : 1,
MR K.T.DAVE, APP. for Respondent(s) : 1,
RULE NOT RECD BACK for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE D.A.MEHTA

Date : 24/03/2006

ORAL JUDGMENT

1 This application is dated 29.12.2005 and has been forwarded by the convict through Jail seeking parole leave for a period of 40 days. However, Mr.K.T.Dave, learned APP. appearing on behalf of the respondent authorities has invited attention to the remarks of the jail authority.

2 Going through the remarks of the jail authority it is apparent that appeal bearing Criminal Appeal No. 2651 of 2005 is pending in this High Court and the convict has already been granted 14 days temporary bail by the Appellate Court from 5.2.2006 to 18.2.2006.

3 In these circumstances, it is not necessary to pass any order on an application which was made prior in point of time viz.29.12.2005. Apart from that, during the pendency of the appeal

there would be no question of granting any leave. In the result, the petition is rejected. Rule discharged.

Sd/-
(D.A.MEHTA, J)

m.m.bhatt